

additional papers 1



Executive Committee

Mon 24 Feb
2020
6.30 pm

Committee Room Two
Town Hall
Redditch

REDDITCH BOROUGH COUNCIL

*making
a
difference*

www.redditchbc.gov.uk

**If you have any queries on this Agenda please contact
Jess Bayley**

**Town Hall, Walter Stranz Square, Redditch, B98 8AH
Tel: (01527) 64252 Ext: 3268**

e.mail: jess.bayley@bromsgroveandredditch.gov.uk



Executive

Monday, 24th February, 2020

6.30 pm

Council Chamber Town Hall

Agenda

Membership:

Cllrs:

Matthew Dormer
(Chair)
David Thain (Vice-
Chair)
Greg Chance
Brandon Clayton

Julian Grubb
Bill Hartnett
Mike Rouse
Craig Warhurst

5. Council Tax Resolutions (Pages 1 - 6)

6. Constitution Review (Pages 7 - 22)

This page is intentionally left blank

**EXECUTIVE
COMMITTEE**

24th February 2020

COUNCIL TAX RESOLUTIONS 2020/21

Relevant Portfolio Holder	Councillor David Thain Portfolio Holder for Corporate Management
Relevant Head of Service	Jayne Pickering, Executive Director Finance and Corporate Resources
Non-Key Decision	

1. SUMMARY OF PROPOSALS

- 1.1 To seek approval of the appropriate formal resolutions to determine the levels of Council Tax for Redditch Borough Council for 2020/21. The levels of tax take account of the requirements of Redditch Borough Council, Worcestershire County Council, Police and Crime Commissioner for West Mercia, Hereford and Worcester Fire Authority and Feckenham Parish Council.

2. RECOMMENDATIONS

- 2.1 Executive is asked to **NOTE** that at its meeting on 11th January 2020, the Executive Committee calculated the Council Tax Base 2020/21 as:
- (a) for the whole Council area as 26,276.50 [Item T in the formula in Section 31B of the Local Government Act 1992, as amended (the "Act")]; and
 - (b) for dwellings in those parts of its area to which a Parish precept relates; this being Feckenham Parish as 367.50.
- 2.2 **Executive is asked to RECOMMEND to Council that they approve:**
- 2.2.1 the calculation for the Council Tax requirement for the Council's own purposes for 2020/21 (excluding Parish precepts) as **£6,415,355**.
 - 2.2.2 that the following amounts be calculated for the year 2020/21 in accordance with sections 31 to 36 of the Act:
 - (a) £44,214,467 being the aggregate of the amounts which the Council estimates for the items set out in Section 31A (2) of the Act (taking into account all precepts issued to it by Parish Councils) (*i.e. Gross expenditure*)
 - (b) £37,789,112 being the aggregate of the amounts which the Council estimates for the items set out in Section 31A (3) of the Act. (*i.e. Gross income*)

**EXECUTIVE
COMMITTEE**

24th February 2020

- (c) £6,425,355 being the amount by which the aggregate of 3 (a) above exceeds the aggregate at 3 (b) above, calculated by the Council, in accordance with Section 31A (4) of the Act, as its Council Tax requirement for the year. (Item R in the formula in Section 31B of the Act).
- (d) £244.53 being the amount at 3 (c) above (Item R), all divided by Item T (1(a) above), calculated by the Council, in accordance with Section 31B of the Act, as the basic amount of its Council Tax for the year (including Parish precepts).
- (e) £10,000 being the aggregate amount of all special items (Feckenham Parish precept) referred to in Section 34 (1) of the Act.
- (f) £244.15 being the amount at 3 (d) above less the result given by dividing the amount at 3 (e) above by Item T (1 (a) above), calculated by the Council, in accordance with Section 34 (2) of the Act, as the basic amount of its Council Tax for the year for dwellings in those parts of its area to which no Parish precept relates.
- (g) £271.36 being the amount given by adding to the amount at 3(f), the amount of the special item relating to the Parish of Feckenham 3(e), divided by the amount in 1(b) above.
- (h) The amounts below given by multiplying the amounts at 3(f) and 3(g) above by the number which, in the proportion set out in Section 5(1) of the Act, is applicable to dwellings listed in a particular valuation band, divided by the number which in that proportion is applicable to dwellings listed in Band D, calculated by the Council, in accordance with Section 36(1) of the Act, as the amounts to be taken into account for the year in respect of categories of dwelling listed in different valuation bands.

Valuation Band	Proportion of Band D tax paid	Parish of Feckenham £	All other parts of the Council's area £
A	6/9	180.91	162.77
B	7/9	211.05	189.89
C	8/9	241.21	217.02
D	1	271.36	244.15

**EXECUTIVE
COMMITTEE**

24th February 2020

E	11/9	331.67	298.41
F	13/9	391.96	352.66
G	15/9	452.27	406.92
H	18/9	542.72	488.30

2.2.3 It be noted that for the year 2020/21, Worcestershire County Council, Police and Crime Commissioner for West Mercia and Hereford and Worcester Fire Authority have issued precepts to the Council in accordance with Section 40 of the Local Government Finance Act 1992 for each category of dwelling in the Council's area as indicated below:

	Valuation Bands							
	A	B	C	D	E	F	G	H
	£	£	£	£	£	£	£	£
Worcestershire County Council	874.03	1,019.71	1,165.38	1,311.05	1,602.39	1,893.74	2,185.08	2,622.10
Police and Crime Commissioner for West Mercia	150.13	175.16	200.18	225.20	275.24	325.29	375.33	450.40
Hereford and Worcester Fire Authority	57.33	66.88	76.44	85.99	105.10	124.21	143.32	171.98

2.2.4. That having calculated the aggregate in each case of the amounts at 4(h) and 5 above, that Redditch Borough Council in accordance with Sections 30 and 36 of the Local Government Finance Act 1992 hereby sets the amounts shown below as the amounts of Council Tax for 2020/21 for each part of its area and for each of the categories of dwellings:

Valuation Band	Proportion of Band D tax paid	Parish of Feckenham £	All other parts of the Council's area £
A	6/9	1,262.40	1,244.26
B	7/9	1,472.80	1,451.64
C	8/9	1,683.21	1,659.02
D	1	1,893.60	1,866.39
E	11/9	2,314.40	2,281.14
F	13/9	2,735.20	2,695.90
G	15/9	3,156.00	3,110.65

**EXECUTIVE
COMMITTEE**

24th February 2020

H	18/9	3,787.20	3,732.78
---	------	----------	----------

- 2.2.5. That the Executive Director Finance & Resources be authorised to make payments under Section 90(2) of the Local Government Finance Act 1988 from the Collection Fund by ten equal instalments between April 2020 to March 2021 as detailed below:

	Precept £	Surplus on Collection Fund £	Total to pay £
Worcestershire County Council	34,449,805.00	615,263.00	35,065,068.00
Police and Crime Commissioner for West Mercia	5,917,373.31	105,668.00	6,023,041.31
Hereford & Worcester Fire Authority	2,259,515.68	41,638.00	2,301,153.68

- 2.2.6 That the Executive Director Finance & Resources be authorised to make transfers under Section 97 of the Local Government Finance Act 1988 from the Collection Fund to the General Fund the sum of £6,543,127 being the Council's own demand on the Collection Fund (£6,415,355.00) and Parish Precept (£10,000) and the distribution of the Surplus on the Collection Fund (£117,772).
- 2.2.7 That the Executive Director Finance & Resources be authorised to make payments from the General Fund to Feckenham Parish Council the sums listed above (£10,000) by instalment after 1 April 2020 in respect of the precept levied on the Council.
- 2.2.8. That the above resolutions 3 to 5 be signed by the Chief Executive for use in legal proceedings in the Magistrates Court for the recovery of unpaid Council Taxes.
- 2.2.9 Notices of the making of the said Council Taxes signed by the Chief Executive are given by advertisement in the local press under Section 38(2) of the Local Government Finance Act 1992.

3. KEY ISSUES

Financial Implications

- 3.1 It is necessary to formally set Council Tax levels throughout the area for the spending requirements of Redditch Borough Council, Worcestershire County Council, Police and Crime Commissioner for West Mercia, Hereford and Worcester Fire Authority and Feckenham Parish Council.

**EXECUTIVE
COMMITTEE**

24th February 2020

- 3.2 Details have been received from the various precepting bodies to enable the Council to set the Council Tax for 2020/21. The amounts of the precepts are set out below:

	£
Worcestershire County Council	34,449,805.00
Police and Crime Commissioner for West Mercia	5,917,373.31
Hereford & Worcester Fire Authority	2,259,515.68
Redditch Borough Council	6,415,355.00
Parish precept	10,000.00
Total	49,052,048.99

- 3.3 If the Council approves the recommendations set out above the average band D Council Tax in 2020/21 will be £1,893.59, made up as follows:

Authority	2019/20 £	2020/21 £	Increase %
Redditch Borough Council	239.15	244.15	2.09
Worcestershire County Council	1,260.75	1,311.05	3.99
Police and Crime Commissioner for West Mercia	216.66	225.20	3.94
Hereford & Worcester Fire Authority	84.34	85.99	1.96
Feckenham Parish Council	22.43	27.21	21.31
Total Council Tax	1,823.33	1,893.59	3.85

The % increases all relate to the change from current year levels.

4 Legal Implications

- 4.1 The Localism Act 2011 made significant changes to the Local Government Finance Act 1992 and requires the billing authority to calculate a Council Tax requirement for the year, not its budget requirement as was previously the case.

5 Service / Operational Implications

- 5.1 The MTFP will enable services to be maintained and, where achievable, improvements to the community.

6 Customer / Equalities and Diversity Implications

- 6.1 Any impact on the customer of savings over the 4 years period will be managed via impact assessments and in discussion and consultation with the customer as to the most effective and supportive way of managing reductions in funding and potentially service delivery.

**EXECUTIVE
COMMITTEE**

24th February 2020

7 RISK MANAGEMENT

- 7.1 The risks associated with the budget estimations are included in the MTFP report as presented to Executive on 11th January.

AUTHOR OF REPORT

Name: Jayne Pickering – Exec Director Finance and Resources
E Mail: j.pickering@bromsgroveandredditch.gov.uk
Tel: 01527-881400

REDDITCH BOROUGH COUNCIL**EXECUTIVE
COMMITTEE**

24th February 2020

**BUSINESS TRANSFORMATION AND ORGANISATIONAL
DEVELOPMENT – SCHEME OF DELEGATIONS**

Relevant Portfolio Holder	Cllr Thain
Portfolio Holder Consulted	Yes
Relevant Head of Service	Deb Poole, Head of Business Transformation and Organisational Development
Wards Affected	N/A
Ward Councillor Consulted	N/A
Non-Key Decision	

1. SUMMARY OF PROPOSALS

The report seeks to clarify the position in respect of the Officer Scheme of Delegations for Business Transformation and Organisational Development.

2. RECOMMENDATIONS

The Executive Committee is asked to RECOMMEND that:-

- 1) the proposed change to the Officer Scheme of Delegations for the Business Transformation and Organisational Development Department, in respect of delegating authority to Officers to determine all the Council's policies and strategies relating to Equalities, Engagement and Performance, as detailed in Appendix 1 to this report, be approved;

and to RESOLVE that

- 2) the proposed changes to the Officer Scheme of Delegations for the Business Transformation and Organisational Development Department, in respect of delegating authority to Officers to determine all the Council's IT policies, as detailed in Appendix 1 to this report, be approved; and
- 3) the proposed changes to the Officer Scheme of Delegations for the Business Transformation and Organisational Development Department, in respect of delegating authority to Officers to determine restructures within agreed budgets, as detailed in Appendix 1 to the report, be approved.

**EXECUTIVE
COMMITTEE**

24th February 2020

3. KEY ISSUES**Financial Implications**

- 3.1 There are no financial implications identified.

Legal Implications

- 3.2 Review and revision of the Constitution is governed by Article 15 of the Council's Constitution.
- 3.3 Section 101 of the Local Government Act 1972 (as amended) gives a general power to local authorities to discharge functions through officers. Local Authorities are required by the same Act to maintain a list of these, which is referred to as the Scheme of Delegation. This sets out those powers of the Council which can be carried out by officers of the Council.

Service / Operational Implications

- 3.4 The Scheme of Delegations is the part of the Constitution that gives authority for certain decisions to be delegated from Council, the Executive Committee or other committees to certain specified officers. It sets out the decisions which are delegated by Council to officers and the decisions which are delegated by the Executive Committee to officers.
- 3.5 The Scheme of Delegations is regularly altered and updated to reflect changes in the operation of the Council and changes to legislation. Changes can be made by the Monitoring Officer in accordance with the delegation that currently exists to amend the scheme to reflect changes in legislation, job titles and reallocation of functions. They do not extend the delegations.
- 3.6 Currently the Scheme of Delegations grants Officers the power to carry out restructures subject to the prior approval of the Executive Committee, where the restructure is within the Council's agreed budget. The caveat requiring prior approval of the Executive Committee effectively negates this as a delegated power. Furthermore, as Members have already granted power to officers to undertake service reviews this creates a contradictory situation. By granting Officers the authority to carry out restructures, as detailed in Appendix 1 to this report, this would provide much greater clarity about the powers that are available.

REDDITCH BOROUGH COUNCIL**EXECUTIVE
COMMITTEE**24th February 2020

- 3.7 Officers do not currently have delegated authority to review and determine the content of Council IT policies and strategies. As technological developments in IT are fast moving the Council needs to be responsive and to update IT policies and strategies to reflect changing circumstances. Members are therefore asked to consider delegating authority to officers to determine the Council's IT policies and strategies moving forward.
- 3.8 The Council also currently does not delegate authority to Officers to determine Equalities, Engagement and Performance policies. Again, these policies often need to be updated relatively frequently in fast changing environment. Members are therefore asked to consider delegating authority to Officers to determine the Council's Equalities, Engagement and Performance Policies.
- 3.9 All of the proposed changes to the Officer Scheme of Delegation for the Business Transformation and Organisational Development department would help to speed up the decision making process at the Council, in line with recommendations made through the Corporate Peer Challenge.
- 3.10 The Constitutional Review Working Party will consider any further proposed changes to the Scheme of Delegations and Committee Procedural Rules at meetings in the new municipal year.

Customer / Equalities and Diversity Implications

- 3.11 There are no specific customer or equalities implications arising from this report.

4. RISK MANAGEMENT

There is a risk of reputational damage that could arise if the Council does not respond to suggestions arising from the Corporate Peer challenge to speed up the Council's decision making process. The proposals detailed in this report help to address this risk.

5. APPENDICES and BACKGROUND PAPERS

Appendix 1 – Extract from the Officer Scheme of Delegations – Business Transformation and Organisational Development

AUTHOR OF REPORT

Name: Jess Bayley,
Email: jess.bayley@bromsgroveandredditch.gov.uk
Tel: 01527 64252 ext 3268

This page is intentionally left blank

TRANSFORMATION AND ORGANISATIONAL DEVELOPMENT			
1. <u>IT Services</u>			
Subject	Detail	Delegated by:	Delegated to:
Members' IT	To supply and maintain Members' IT facilities in accordance with approved Policy(-ies)	Executive Committee	[Head of Business Service – Transformation, and Organisational Development and <u>Digital Services</u>] / [IT Manager]
Corporate IT New Proposed Delegation	To determine all the Council's IT Policies and Strategies	Council	[Head of Business Service – Transformation, and Organisational Development and <u>Digital Services</u>] / [IT Manager]
Land and Property Gazetteer	To keep and maintain the Council's Local Land & Property Gazetteer (LLPG) and act as "Custodian" for this purpose.	Executive Committee	[Head of Business Service - Transformation, and Organisational Development and <u>Digital services</u>]
Street Naming	To be responsible for Street / Property naming, in accordance with Council-approved Policy, and to maintain a list of candidate street and property names.	Executive Committee	[Head of Business Transformation, and Organisational Development and <u>Business Services</u>], following consultation with Ward and other relevant Members /Portfolio Holder

Constitution Part 5 Table 5.02 – Transformation and OD

Street Numbering	To prescribe street numbers and renumber premises where necessary, in accordance with approved policy.	Executive Committee	[Head of <u>Service - Business Transformation, and Organisational Development and Digital Services</u>]
Regulation of Investigatory Powers Act (RIPA) (See also Chief Executive's/ Corporate delegations)	To maintain the central record of documents relating to RIPA policy, including authorisations.	Council	The Information Management Team under the supervision of the [Head of <u>Service – Transformation, and Organisational Development and Digital Services-</u>]

Constitution Part 5 Table 5.02 – Transformation and OD

2. <u>Policy, Performance & Partnerships</u>			
<u>Subject:</u>	<u>Detail:</u>	<u>Delegated by:</u>	<u>Delegated to:</u>
Publicity & Communication	To determine applications for non-commercial organisations to use the Borough Crest or Logo.	Executive Committee	[Communications Manager]
Policy, Equalities and Engagement New Proposed Delegation	To determine all the Council's policies and strategies relating to Equalities, Engagement and Performance (including the Equalities Strategy, Equal Opportunities Strategy, Engagement Strategy and Performance Strategy)	Executive Committee	[Head of <u>Service Business Transformation</u>, <u>and</u> Organisational Development <u>and</u> <u>Digital Services</u>] / [IT Manager]

Constitution Part 5 Table 5.02 – Transformation and OD

3. Human Resources			
<u>Employees</u>	<u>Staffing Matters</u> Within the terms of the Council's agreed policies and employment objectives, to deal with the following matters without reference to Committee: a. Appointments: i) to appoint Executive Directors ii) to appoint Heads of Service iii) to appoint staff below the level of Head of Service b. Disciplinary and Capability Action i) Within the Council's approved disciplinary and capability procedures and National Conditions of Service, to dismiss the Head of Paid Service, s151 Officer or Monitoring Officer subject to compliance with the Local Authorities (Standing Orders) (England) Regulations 2001 (as amended). ii) Within the Council's approved disciplinary and capability procedures, to take action against including (except in the case of the monitoring officer or the section 151 officer) dismissal of Executive Directors, subject, in the case of any Officer designated as Chief Finance Officer or Monitoring Officer, to compliance with the Local Authorities (Standing		
		Council	[Chief Executive]
		Council	[Chief Executive]/ Executive Directors
		Council	Heads of Service
		N/a	Council
		Council	[Chief Executive]

Constitution Part 5 Table 5.02 – Transformation and OD

	Orders) (England) Regulations 2001.		
	iii) Within the Council's approved disciplinary and capability procedures, to take action against including (except in the case of the monitoring officer or the section 151 officer) dismissal of Heads of Service and Assistant Chief Executive subject, in the case of any Officer designated as Chief Finance Officer or Monitoring Officer, to compliance with the Local Authorities (Standing Orders) (England) Regulations 2001 (as amended).	Council	[Chief Executive]/ Executive Directors
	iv) Within the Council's approved disciplinary and capability procedures, to take disciplinary action against (including dismissal of) any member of staff in the department concerned below Head of Service level.	Council	Heads of Service
	v) To consider and determine appeals in respect of discipline and dismissal for staff below the level of Head of Service.	Council	Any one of the following: The Chief Executive, the Deputy Chief Executive or any Directors.
	c. Terms and conditions of employment	Council	[Head of <u>Service – Transformation</u> , <u>and</u> Organisational Development <u>and</u> <u>Digital Strategy</u>]
	To determine all employment/ HR policies and procedures and terms and conditions of employment (save where specified by statutory provisions) in respect of all staff (<u>except</u> the Chief Executive).		

Constitution Part 5 Table 5.02 – Transformation and OD

	<p>d. Restructures and Service Reviews</p> <p>i) Subject to the prior approval of the Executive Committee, and consultation with employees and/or their representatives, to carry out Restructures, as necessary, and implement outcomes;</p> <p>ii) Within the policy and budgets decided by the Council, to make decisions on the addition and deletion of posts and on adjustments to working conditions applying to particular posts (but not generally) insofar as it relates to a service review which is not associated with the setting of the Council's budget</p> <p>i) To make decisions on service restructures, additions and deletions of posts and on adjustments to working conditions (but not generally) within the agreed budgets decided by Council. This does not apply to changes that impact on service delivery.</p> <p>e. Appeals (job evaluation)</p> <p>To consider and determine appeals in respect of salary grading.</p>	<p>Executive Cttee</p> <p>Council</p> <p><u>Executive Committee</u></p> <p>Council</p>	<p>[Chief Executive/ Deputy Chief Executive]/Executive Directors/ Heads of Service as appropriate</p> <p>[Chief Executive/ Deputy Chief Executive]/ Executive Directors/ Heads of Service as appropriate</p> <p><u>[Chief Executive], [Deputy Chief Executive], Executive Directors and Heads of Service as appropriate.</u></p> <p>Any Officer of Head of Service level or above or a consultant selected by the [Head of <u>Service – Transformation, and Organisational Development and Digital Services</u>]</p>
--	--	--	--

Constitution Part 5 Table 5.02 – Transformation and OD

	<p>f. Posts – Grading</p> <p>Within the policy and budgets decided by the Council, to make decisions on the grading of posts and on adjustments to working conditions applying to particular posts (but not generally).</p>	Council	[Head of <u>Service – Transformation</u> , <u>and Organisational Development and Digital Services</u>]
	<p>g. Early Retirement Payments</p> <p>To exercise discretionary powers under the Local Government (Early Termination of Employment) (Discretionary Compensation) Regulations 2006 to make a single lump sum payment (including any redundancy payment where necessary) of up to no more than 52 weeks actual pay to any employee in accordance with agreed criteria.</p>	Council	[Chief Executive] following consultation with Head of <u>Service – Transformation</u> , <u>and Organisational Development and Digital Services</u> and the relevant Portfolio Holder
	<p>h. Overtime Payments</p> <p>Within the budget determined by Council, to approve payments for overtime working where staff are required to work such overtime in pursuance of the Council's obligations or objectives.</p>	Council	[Chief Executive/ Deputy Chief Executive]/ Executive Directors/ Heads of Service
	<p>i. Pay Award</p> <p>Within the budget determined by Council, to implement increases in respect of the annual cost of living pay award as negotiated and agreed by the National Joint Councils or the Joint national Council for all staff.</p>	Council	[Financial Services Manager]

Constitution Part 5 Table 5.02 – Transformation and OD

	<p>j. Pay Protection</p> <p>To determine an appropriate pay protection policy for all staff</p>	Council	[Head of <u>Service – Transformation</u> , <u>and</u> Organisational Development <u>and</u> <u>Digital Services</u>] in consultation with the [Chief Executive] and Executive Director - Finance and Corporate Resources
	<p>k. Travel Allowances</p> <p>i) To implement increases in respect of the lump sum and mileage allowance payable to all staff in accordance with circulars issued by the Joint National Council and National Joint Council.</p> <p>ii) To implement and review increases in respect of subsistence allowances on an annual basis.</p>	Council	[Financial Services Manager]
	<p>l. Training</p> <p>To provide training activities for the Council in accordance with the Council's stated requirements, through either direct provision of in-house training or external resources);</p>	Executive Cttee	[Chief Executive/ Deputy Chief Executive]/ Directors

Constitution Part 5 Table 5.02 – Transformation and OD

	<u>Day to Day Activities</u>	Council/ Executive Committee	[Chief Executive/ Deputy Chief Executive]/ Directors or their nominated managers
	a. To control and manage own Directorates		
	b. In the absence of any specific delegation and subject to supervision by their immediate line Managers, Service Managers are authorised to perform the duties for which they are employed, including the day-to-day management of their specific Service.	Council/Executive Committee	Various
	c. The day-to-day discharge of functions not otherwise covered by this scheme in accordance with any requirements of the Chief Executive.	Executive Committee	[Chief Executive] or in his absence the [Deputy Chief Executive]
	d. To respond to miscellaneous enquiries for which no delegated authority currently exists and to determine whether further formal decision is required and, if so, what.	Executive Committee	[Chief Executive], in consultation with Group Leaders and Monitoring Officer

Constitution Part 5 Table 5.02 – Transformation and OD

4. <u>Health and Safety</u>			
<u>Subject</u>	<u>Detail:</u>	<u>Delegated by:</u>	<u>Delegated to:</u>
Approval of Health and Safety policies	To determine all health and safety policies	Council	[Head of <u>Service – Transformation</u> , and Organisational Development <u>and Digital Services</u>], following consultation with the Corporate Management Team, the Joint Corporate Health, Safety and Welfare Committee (where applicable), the Leader of the Council and the relevant Portfolio Holder

This page is intentionally left blank